

at that time the House was called to order with Mr. Donato in the Chair.

Recess.

**Wednesday, April 29, 2015 (at 10:00 o'clock A.M.).**

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

*Message from the Governor.*

A message from His Excellency the Governor recommending legislation relative to establishing department of public utilities oversight of transportation network companies (House, No. 3351), was filed in the office of the Clerk on Friday, April 24, 2015.

Transportation network companies.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Financial Services. Sent to the Senate for concurrence.

*Resolutions.*

Resolutions (filed with the Clerk by Representatives Poirier of North Attleborough and Heroux of Attleboro) congratulating the Murray Unitarian Universalist Church on its one hundred and fortieth anniversary, were referred, under Rule 85, to the committee on Rules.

Murray Unitarian Universalist Church.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mrs. Poirier, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Recess.*

At twenty-four minutes after eleven o'clock A.M., the Chair (Mr. Donato) declared a recess subject to the call of the Chair; and at nine minutes before twelve o'clock noon the House was called to order with Mr. Donato in the Chair.

Recess.

*Orders of the Day.*

The Senate Bill establishing a sick leave bank for Marlo Carter, an employee of the Department of Correction (Senate, No. 42, amended) (reported by the committee on Bills in the Third Reading to be correctly drawn), was read a third time, under suspension of the rules, on motion of Mr. Nangle of Lowell; and it was passed to be engrossed, in concurrence.

Marlo Carter,— sick leave.

The House Bill making appropriations for the fiscal year 2016 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3400, amended), was considered.

General Appropriation Bill.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Dempsey of Haverhill moved to amend it in section 2

By inserting after item 1599-1979 the following item:

“1599-2004 For a reserve to be administered by the health policy commission to develop a pilot program to implement a model of field triage of behavioral health patients under medical control by specially-trained emergency medical services providers, care for appropriate patients at home by such providers in coordination with behavioral health care providers, and transport of appropriate, non-medically complex patients to a behavioral health site of care for most effective treatment rather than to an acute hospital emergency department; provided further, that the commission shall implement this pilot to triage behavioral health patients in the greater Quincy area affected by the recent hospital closure; provided further, that in developing the program, the commission shall consider evidence-based practices from successful programs implemented locally, nationally, or internationally; provided further, that the commission shall report to the joint committee on mental health and substance abuse and the house and senate committees on ways and means not later than 12 months following completion of the pilot program on its results, including its effectiveness, efficiency, and sustainability; and provided further, that funds appropriated in this item shall not revert and shall be available for expenditure through June 30, 2017..... \$500,000”.

By striking out item 4000-0300 and inserting in place thereof the following item:

“4000-0300 For the operation of the executive office of health and human services, including the operation of the managed care oversight board; provided, that the executive office shall provide technical and administrative assistance to agencies under the purview of the secretariat receiving federal funds; provided further, that the executive office shall continue to develop and implement the common client identifier; provided further, that the executive office shall monitor the expenditures and completion timetables for systems development projects and enhancements undertaken by all agencies under the purview of the secretariat and shall ensure that all measures are taken to make such systems compatible with one another for enhanced interagency interaction; provided further, that the executive office shall ensure that any collaborative assessments for children receiving services from multiple agencies within the secretariat shall be performed within existing resources; provided further, that funds appropriated in this item shall be expended for administrative and contracted services related to the implementation and operation of programs authorized by chapter 118E of the General Laws; provided further, that the executive office and its agencies, when contracting for services on the islands of Martha’s Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services and housing on said islands; provided further, that the executive office shall contract with Martha’s Vineyard Community Services, Inc. for no less than \$75,000 to increase access to health and human services on Martha’s Vineyard and Nantucket, and such funds shall be used to cover feasible travel costs associated with arranging access to health and human services; provided further, that in consultation with the center for health information and analysis, no rate increase shall be provided to existing Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act, as codified at 42 U.S.C. chapter 7, subchapter XIX, to ensure that rates of payment to providers do not exceed the rates that are necessary to meet only those costs which must be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that funds may be expended for the operation of the office of health equity within the executive office of health and human services; provided further that on or before December 31, 2015, not less than \$150,000 shall be provided to Noble Hospital, a federal and state disproportionate share hospital that is geographically isolated, to improve the access entry way for all patients, especially those challenged with disabilities, provided that such funds are matched by an equal or greater amount by Noble Hospital; provided further, that no expenditures shall be made that are not federally reimbursable, including those related to Titles XIX or XXI of the Social Security Act, as codified at 42 U.S.C. chapter 7, subchapters XIX or XXI or the MassHealth demonstration waiver pursuant to section 1115(a) of said Social Security Act, as codified at 42 U.S.C. section 1315(a) or the community first demonstration waiver pursuant to section 1115 of the Social Security Act, as codified at 42 U.S.C. section 1315, whether made by the executive office or another commonwealth entity,

Consolidated amendments (health and human services and elder affairs).

**UNCORRECTED PROOF.**

except as required for: (a) the equivalent of MassHealth Standard benefits for children under age 21 who are in the care or custody of the department of youth services or the department of children and families; (b) dental benefits provided to clients of the department of developmental services who are age 21 or over; or (c) cost containment efforts the purposes and amounts of which have been submitted to the executive office for administration and finance and the house and senate committees on ways and means 30 days prior to making these expenditures; provided further, that the executive office of health and human services may continue to recover provider overpayments made in the current and prior fiscal years through the Medicaid management information system, and that these recoveries shall be considered current fiscal year expenditure refunds; provided further, that the federal financial participation received from claims filed based on in-kind administrative services related to outreach and eligibility activities performed by certain community organizations, under the "covering kids initiative," and in accordance with the federal revenue criteria in 45 CFR 74.23 or any other federal regulation which provides a basis for federal financial participation, shall be credited to this item and may be expended, without further appropriation, on administrative services including those covered under an agreement with the organizations participating in the initiative; provided further, that funds shall be provided in an amount not less than the total appropriated in item 1599-2009 in section 2 of chapter 182 of the acts of 2008; provided further, that in calculating rates of payment for children enrolled in MassHealth receiving inpatient and outpatient services at acute care pediatric hospitals and pediatric specialty units as defined in section 8A of Chapter 118E of the General Laws, the executive office shall make a supplemental payment to any acute care pediatric hospital and pediatric specialty unit in the Commonwealth, above base rates, to compensate for high-complexity pediatric care in an amount not less than fifty percent of the amount appropriated in this item in Chapter 165 of the acts of 2014; provided further, that the executive office may collect directly from a liable third party any amounts paid to contracted providers under chapter 118E of the General Laws for which the executive office later discovers another third party is liable if no other course of recoupment is possible; provided further, that no funds shall be expended for interpretive services directly or indirectly related to a settlement or resolution agreement with the office of civil rights or any other office, group, or entity; provided further, that interpretive services currently provided shall not give rise to enforceable legal rights for any party or to an enforceable entitlement to interpretive services; provided further, \$150,000 shall be expended for the work of the Massachusetts unaccompanied homeless youth commission to determine the scope of need among unaccompanied youth and young adults ages 24 and younger who are experiencing homelessness, and to identify and implement potential models for appropriate service delivery to unaccompanied homeless youth in urban, suburban, and rural areas of the commonwealth; provided further, that notwithstanding any general or special law to the contrary, the commissioner of mental health shall approve any prior authorization or other restriction on medication used to treat mental illness in accordance with written policies, procedures, and regulations of the department of mental health; provided further, that not later than January 18, 2016, the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing the methodology used to project caseload and utilization in fiscal year 2015 and fiscal year 2016; provided further, that the executive office of health and human services shall report to the house and senate committees on ways and means not later than January 13, 2016 on the number of members served in the dual eligible initiative, the average expenditure per member, the average expenditure per member prior to the demonstration project and the number of clients that receive care at skilled nursing facilities; provided further, that any projection of deficiency in item 4000-0430, 4000-0500, 4000-0600, 4000-0640, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-0940, 4000-0950, 4000-0990, 4000-1400, 4000-1420 or 4000-1425 shall be reported to the house and senate committees on ways and means not less than 90 days before the projected exhaustion of funding; and provided further, that any unexpended balance in these accounts shall revert to the General Fund on June 30, 2016 ..... \$91,865,452”

In item 4000-0600, in line 20, by striking out the words “up to” and inserting in place thereof the word “of”,

By striking out item 4000-0640 and inserting in place thereof the following item:

**UNCORRECTED PROOF.**

“4000-0640 For nursing facility Medicaid rates; provided, that notwithstanding any general or special law to the contrary, in fiscal year 2016 the executive office of health and human services, in consultation with the center for health information and analysis, shall establish nursing facility Medicaid rates that cumulatively total \$291,600,000 more than the annual payment rates established under the rates in effect as of June 30, 2002; provided further, that the MassHealth agency shall adopt all additional regulations and procedures necessary to carry out this item; provided further that effective July 1, 2015 the executive office of health and human services shall establish nursing facility MassHealth rates that fully recognize the Medicaid share of the nursing home assessment established by section 63 of chapter 118E of the General Laws; provided further, that an amount for expenses related to the collection and administration of section 63 of chapter 118E of the General Laws shall be transferred to the executive office of health and human services; provided further, that not less than \$2,800,000 shall be expended as incentive payments to nursing facilities meeting the criteria determined under the MassHealth Nursing Facility Pay-for-Performance Program and that have established and participated in a cooperative effort in each qualifying nursing facility between representatives of employees and management that is focused on implementing that criteria and improving the quality of services available to MassHealth members and that shall decide jointly how to expend such incentive payments; provided further, that the MassHealth agency shall adopt all additional regulations and procedures necessary to carry out this section; and provided further, that the payments made under this item shall be allocated in an amount sufficient to implement section 622 of chapter 151 of the acts of 1996  
.....\$300,400,000”.

In item 4000-0700 by striking out the figures “2,491,392,092” and inserting in place thereof the figures “2,498,792,092”.

In item 9110-1500, in line 10, by inserting after the following: “1396n(c)” the following: “; provided further, that the executive office shall submit a report, not later than October 7, 2015, to the house and senate committees on ways and means which shall include the number of individuals receiving services from the intensive care management program on July 1, 2015 and a subsequent report, not later than March 15, 2016 on the number of individuals receiving services from the intensive care management program on March 1, 2016”.

In item 9110-1636 by adding the following: “; provided, that not less than \$50,000 shall be expended for the establishment of and administrative support of regional Financial Abuse Specialist Teams to improve the ability of elder protective services programs to investigate and respond to reports of financial exploitation as recommended by the Elder Protective Service Commission established by section 204 of Chapter 139 of the Acts of 2012; and provided further, that the Executive Office of Elder Affairs shall provide a report to the House and Senate Chairs of the Joint Committee on Elder Affairs on the implementation of FAST Teams on or before June 30, 2016”, and in said item by striking out the figures “23,123,254” and inserting in place thereof the figures “23,173,254”.

In item 9110-1660 by adding the following: “; provided, that not less than \$642,000 shall be expended for providers of naturally occurring retirement communities with whom the department of elder affairs entered into service agreements within fiscal year 2015 at proportions of total available funding equal to those provided in fiscal year 2015”, and in said item by striking out the figures “1,512,626” and inserting in place thereof the figures “2,154,626”.

In item 9110-1900 by adding the following: “; and provided further, that not less than \$750,000 shall be expended for home delivered meals”, and in said item by striking out the figures “6,381,427” and inserting in place thereof the figures “7,131,427” and

By striking out item 9110-9002 and inserting in place thereof the following item:

“9110-9002 For grants to the councils on aging and for grants to or contracts with non-public entities

which are consortia or associations of councils on aging; provided, that notwithstanding the foregoing, all monies appropriated in this item shall be expended in accordance with the distribution schedules for formula and incentive grants established by the secretary of elder affairs; provided further, that the distribution schedules shall be submitted to the house and senate committees on ways and means; provided further, that not less than \$150,000 shall be expended for the Rossetti-Cowan Senior Center in Revere; provided further, that not less than \$50,000 shall be expended for the costs associated with care and services provided at Whipple Senior Center in the Town of Weymouth; provided further, that not less than \$65,000 shall be expended for the Sterling Senior Center; provided further, that not less than \$75,000 shall be expended as a grant to the town of Easton for the Easton Council on Aging; provided further, that not less than \$60,000 be provided to the Worcester Regional Transit Authority for the establishment of a Senior Van and Paratransit Service in the Town of Boylston; provided further, that not less than \$50,000 shall be expended as a grant to the town of Braintree for the Braintree Council on Aging; and provided further, that not less than \$50,000 shall be expended for the Winchendon Senior Center.....\$13,415,000”;

By inserting after section 7 the following section:

SECTION 7A: Chapter 6A of the General Laws is hereby amended by inserting after section 16X the following section:—

16Y. (a) There shall be a commission within the executive office of health and human services for the purpose of studying and making recommendations relative to state policies and regulations on LGBT older adults to ensure equality of access, treatment, care and benefits; examine strategies to increase provider awareness of the needs of LGBT older adults and their caregivers and to improve the competence of and access to treatment, services and on-going care, including preventive care; assess the funding and programming needed to enhance services to the growing population of LGBT older adults; examine best practices for increasing access, reducing isolation, preventing abuse and exploitation, promoting independence and self-determination, strengthening caregiving, eliminating disparities and improving quality of life; examine whether certain policies and practices, or the absence thereof, promote the premature admission of LGBT older adults to institutional care; recommend, as appropriate and necessary, lower cost and culturally appropriate home and community-based alternatives to institutional care; examine the feasibility of developing statewide training curricula to improve provider competency in the delivery of health, housing and long-term support services to older LGBT adults and their caregivers; and examine outreach protocols to reduce apprehension among LGBT elders and caregivers of utilizing mainstream providers.

(b) The commission shall consist of the house and senate chairs of the joint committee on elder affairs or their designees, who shall serve as co-chairs; the secretary of elder affairs or a designee; the director of housing and community development or a designee; the commissioner of public health or a designee; the director of the LGBT Aging Project or a designee; the president of Fenway Health or a designee; the executive director of the Gay & Lesbian Advocates & Defenders or a designee; a representative of the National Association on HIV Over Fifty, Inc.; the executive director of MassEquality or a designee; the executive director of the Mass Home Care or a designee; the director of AARP Massachusetts or a designee; the executive director of the Massachusetts Association of Councils on Aging, Inc. or a designee; the director of the Massachusetts Senior Care Association or a designee; the director of the Massachusetts Council for Home Care Aides Services, Inc. or a designee; and 5 members appointed by the governor, 1 of whom shall be a member of the Massachusetts bar who practices elder law, 1 of whom shall be an expert in LGBT public policy or research and 3 LGBT elders, at least 1 of whom shall be transgender. The governor’s appointees shall ensure that the commission has at least 1 representative from each of the following areas: Cape Cod, western

Massachusetts and central Massachusetts.

(c) The commission may hold regular public meetings, fact-finding hearings and other public forums as it considers necessary and shall submit an annual report by December 31 to the governor, the clerks of the house of representatives and the senate, and the joint committee elder affairs. The report shall include, but not be limited to, the commission's findings and any recommendations for regulatory or legislative action, with a timeline for implementation, cost estimates and finance mechanisms, any other efforts to address the needs of this population.”,

**By inserting after section 20 the following section:**

SECTION 20A. Chapter 10 of the General Laws is hereby amended by inserting after section 35UU the following section:—

35UU 1/2. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Acute Care Hospital Trust Fund which shall be administered by the secretary of health and human services. Subject to appropriation, monies from the trust fund may be expended for payments to acute care hospitals.”,

**By inserting after section 66 the following four sections:**

“SECTION 66A. Notwithstanding section 53 of chapter 118E of the General Laws, for fiscal year 2016, the executive office of health and human services may determine the extent to which to include within its covered services for adults the federally-optional dental services that were included in its state plan or demonstration program in effect on January 1, 2002; provided that dental services shall be covered for adults at least to the extent covered as of June 30, 2015.

SECTION 66B. Notwithstanding the provision of section 2GGGG of chapter 29 of the General Laws or any other general or special law or regulation to the contrary, on January 1, 2016, the Health Policy Commission shall transfer from the Distressed Hospital Trust Fund the following amounts:

(a) \$8,227,865 to the Delivery System Transformation Initiatives Trust Fund established by section 35UU of chapter 10 of the General Laws; provided, that these funds shall be expended under the delivery system transformation initiative master plan and hospital-specific plans approved in the MassHealth section 1115 demonstration for state or federal fiscal year 2015; provided further, that all payments from the Delivery System Transformation Initiatives Trust Fund shall be subject to the availability of federal financial participation, shall be made only in accordance with federally approved payment methods, shall be consistent with federal funding requirements and all federal payment limits as determined by the secretary of health and human services and shall be subject to the terms and conditions of an agreement with the executive office of health and human services;

(b) \$17,153,885 to the Acute Care Hospital Fund, provided, that of these funds, \$11,000,000 shall provide an additional 5 per cent of the office of Medicaid's standard payment amount per discharge, or SPAD, above rate year 2013, or of reimbursement provided under any subsequent inpatient payment methodologies and to provide an additional 5 per cent of its outpatient payment amount per episode or PAPE above rate year 2013, or of reimbursement provided under any subsequent outpatient payment methodologies to any acute care hospital that has greater than 63 per cent of its gross patient service revenue from governmental payers and free care as determined by the executive office of health and human services; provided further, that \$6,153,885 shall be provided for supplemental payments to inpatient and outpatient behavioral and mental health services provided by any acute care hospital that has greater than 63 per cent of its gross patient service revenue from governmental payers and free care as determined by the executive office of health

and human services; provided further, that such behavioral and mental health supplemental payments shall be subject to all required federal approvals and the availability of federal financial participation and shall be prioritized for services provided to children and adolescents.

SECTION 66C. (a) There shall be a special commission relative to ovarian cancer in the Commonwealth. The commission shall consist of the following members: the secretary of the executive office of health and human services, or a designee; the commissioner of public health, or a designee; the commissioner of insurance, or a designee; and 8 members who shall be appointed as follows: 2 members appointed by the senate president, 1 of whom shall be a person with or survivor of ovarian cancer and 1 of whom is a medical specialist in ovarian cancer; 2 members appointed by the speaker of the house of representatives, 1 of whom shall be a person with or survivor of ovarian cancer and 1 of whom is a medical specialist in ovarian cancer; and 4 members appointed by the governor, 1 of whom shall be a person with or survivor of ovarian cancer, 1 of whom is a medical specialist in ovarian cancer, and 2 members of the public with demonstrated expertise in issues relating to the work of the commission.

(b) The commission shall study and report on the following: (i) establish a mechanism in order to ascertain the prevalence of ovarian cancer in Massachusetts and, to the extent possible, collect statistics relative to the timing of diagnosis and risk factors associated with ovarian cancer; (ii) determine how to best effectuate an early diagnosis and treatment for ovarian cancer patients; (iii) determine any unmet needs of persons with ovarian cancer and those of their families; and (iv) provide recommendations for additional legislation, support programs and resources necessary to meet the unmet needs of persons with ovarian cancer and their families.

(c) The commission shall file its report and recommendations with the clerks of the senate and house of representatives and the chairs of the joint committee on public health by December 31, 2015.

SECTION 66D. Notwithstanding any general or special law to the contrary, the office of Medicaid shall establish a prospective, global payment pilot program under which Medicaid contracts with risk-bearing provider organizations for the provision and coordination of health care services for their attributed members beginning not later than September 1, 2016; provided, that such risk-bearing provider organizations shall be able to provide coordinated care through the provider's network of primary care providers; provided further, that such providers shall have experience and demonstrated capabilities to provide behavioral health services including psychiatric and substance abuse beds; provided further, that Medicaid shall reimburse such providers on a prospective monthly basis; provided further, that such risk-bearing provider organizations that have obtained a risk certificate or a waiver from the Division of Insurance pursuant to section 3 of chapter 176T shall not be required to obtain additional insurance licensure under chapters 175, 176A, 176B, 176G, 176I or 176J of the General Laws; provided further, that the program shall not go into effect until the division of insurance, in conjunction with other health policy agencies, has promulgated regulations providing for risk certificates or procedures for waivers for such risk-bearing provider organizations."

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Sánchez of Boston; and on the roll call 159 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 46 in Supplement.]**

Therefore the amendments were adopted.

Consolidated  
amendments  
adopted,—  
yea and nay  
No. 46.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 93. Chapter 23A of the General Laws, as appearing in 2012 Official Edition, is hereby amended by inserting after section 10B the following new section:—

Section 10C. (a) There shall be established and set upon the books of the commonwealth a separate fund to be known as the student entrepreneurial development and economic investment fund, hereinafter referred to as the student investment fund, to which shall be credited any appropriations, bond proceeds, or other monies authorized by the general court and specifically designated to be credited thereto and additional funds designated for deposit to the student investment fund, including any pension funds, federal grants or loans, or private donations made available to the secretary of economic development. The secretary of economic development shall hold the student investment fund in an account separate from other funds or accounts. Amounts credited to the student investment fund shall be available to the investment board as established in subsection (b) to carry out the purposes of subsection (c).

(b) The investment board shall consist of the following members: the secretary of economic development or his designee, who shall serve as the chairperson of the board; the chairman of the board of higher education or his designee, who shall serve as the vice-chairperson of the board; the president of the Massachusetts technology development corporation, or his designee; the executive director of the office of commercial ventures and intellectual property, or his designee; two private Massachusetts-based investors to be chosen by the chairperson in consultation with the president of the Massachusetts technology development corporation; one student representative selected by the university of Massachusetts representative to the board of higher education; one student representative selected by the state college representative to the board of higher education; and one student representative selected by the community college representative to the board of higher education. The chairman of the board of higher education shall establish a student application program to aid the representatives of the board of higher education in the selection of student members to the board.

Five members of the board shall constitute a quorum and the affirmative vote of five members shall be necessary for any action taken by the board. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board.

(c) The purpose of the student investment fund shall be to provide an opportunity for interested students to gain experience in entrepreneurialism and early-stage business development while fostering an economic environment that will attract students to the commonwealth and forge a relationship between the public higher education system and the Massachusetts business community with the intent of driving economic growth. Funds made available to the student investment board from the student investment fund shall be used for a grant program administered by the board for prototype funding of Massachusetts’ student ideas in early development stages; provided however, that the development of such ideas, plans, or business occur within the commonwealth. The secretary of economic development shall promulgate rules regarding the enforcement and penalties for recipients who relocate outside of the commonwealth. The board shall not be limited in the number of grants distributed to students in any one year; provided however, that the total monetary amount of all grants distributed by the board in a fiscal year shall not exceed twenty percent of the fund’s first year balance. The

board shall hold periodic hearings to allow selected students, who have submitted a statement of interest and initial business plan, the opportunity to present a comprehensive business plan describing characteristics and proprietary positions of the student's product or services; present and future markets for such products or services; potential strategies for the future development and funding of the prototype product or service; a statement of amount, timing and projected use of the capital sought by the student; and a statement of the projected growth in employment or other positive economic impacts. Comprehensive business plans may be written and reviewed in consultation with the Massachusetts technology transfer center at the University of Massachusetts.

(d) The board shall, by January 1 of each year, submit a report of its activities for the preceding fiscal year to the governor, the joint committee on economic development and emerging technologies, and the clerks of the House of Representatives and senate. Each report shall set forth a complete financial statement covering its operation during the year and shall also include any requests for additional appropriations.”.

The amendment was adopted.

Mr. Jones and other members of the House then moved to amend the bill by adding the following section:

“SECTION 94. Section 49 of chapter 30 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Any manager or employee of the Commonwealth objecting to any provision of the classification affecting his office or position may appeal in writing to the personnel administrator.”.

The amendment was adopted.

Mr. Hill of Ipswich then moved to amend the bill by adding the following section:

“SECTION 95. Notwithstanding any general or special law to the contrary any historic property, pursuant to the provisions of Section 44 of Chapter 85 of the Acts of 1994 shall not be subject to the provisions of Chapter 59 of the General Laws.”.

The amendment was adopted.

Mr. Murphy of Weymouth then moved to amend the bill by adding the following section:

“SECTION 96. Chapter 32 section 23b subsection k paragraph 6, as appearing in the 2012 official edition, is hereby amended by adding the following section:—

(iii) A Retirement Board is permitted to invest in Private Equity and Real Estate ‘follow-on’ or ‘successor’ funds provided:

- (1) the retirement system invested in the previous fund;
- (2) the fund advisor/manager has no material change(s) in personnel;
- (3) the strategy is unchanged; and
- (4) no more than 10 years has elapsed since the retirement board conducted their original due diligence.”.

The amendment was adopted.

Mr. Galvin of Canton then moved to amend the bill by adding the following section:

“SECTION 97. Section 44 of chapter 85 of the acts of 1994, as most recently amended by chapter 242 of the acts of 2014, is hereby further amended by inserting after the words ‘the city of Cambridge’ the following words:— William H. Peterson House, so-called, at 22 Turnpike Street in the Blue Hills State Reservation in the town of Canton.”.

The amendment was adopted.

Mr. Straus of Mattapoisett and other members of the House then moved to amend the bill by adding the following section:

“SECTION 98. Notwithstanding any general or special law or regulation to the contrary, there shall be a cranberry industry revitalization task force which shall consist of the following members: 3 representatives from the Cape Cod Cranberry Growers’ Association who shall be appointed by the governor from a list of 6 names submitted by said Association; 1 representative of Ocean Spray Cranberries, Inc., who shall be appointed by the governor; 1 representative of an independent cranberry handler company, who shall be appointed by the governor; 1 researcher from the University of Massachusetts Cranberry Station, who shall be appointed by the governor; the secretary of Energy and Environmental Affairs or his designee; the commissioner of Agricultural Resources or his designee; 1 agricultural economist, who shall be appointed by the commissioner of Agricultural Resources; the commissioner of Energy Resources or his designee; the commissioner of Environmental Protection or his designee; the commissioner of the Department of Fish and Game or his designee; 3 members of the house of representatives, 1 of whom shall be appointed by the minority leader and 2 of whom shall be appointed by the speaker of the house; and 3 members of the senate, 1 of whom shall be appointed by the minority leader and 2 of whom shall be appointed by the president of the senate. The task force shall be chaired jointly by the secretary of Energy and Environmental Affairs and the commissioner of Agricultural Resources, or their designees.

The task force shall investigate short and long-term solutions to preserving and strengthening the cranberry industry in Massachusetts. The investigation shall examine methods to promote innovation in, and the revitalization of, the Massachusetts cranberry farming community including, without limitation, the impact of increased fixed costs borne by the cranberry growing community, alternative and renewable energy uses for growers and an investigation of the unique geography, culture and needs of the Massachusetts cranberry industry.

The task force shall submit its findings, together with drafts of recommended legislation, if any, to the clerks of the senate and house of representatives, the chairs of the joint committee on environment, natural resources and agriculture, and the senate and house committees on ways and means not later than February 1, 2016.”.

The amendment was adopted.

Mr. Collins of Boston then moved to amend the bill by adding the following section:

“SECTION 99. Chapter 221 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended in Section 7 by striking out the following words:— of the several counties except Suffolk.”.

The amendment was adopted.

Mrs. Orrall of Lakeville then moved to amend the bill by adding the following section:

“SECTION 100. Notwithstanding any general or special law to the contrary, there is hereby established a commission to research and assess opportunities to enhance tourism at the State House. The commission shall examine and determine if there are ways to increase retail sales through the State House bookstore and other gift kiosks. The commission shall consist of: the secretary of the commonwealth or a designee, who shall serve as chair; the commissioner of conservation and recreation or a designee; the secretary of housing and economic development or a designee; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 members of the senate, 1 of whom shall be appointed by

the minority leader; the superintendent of state buildings or a designee, and 3 persons to be appointed by the governor. The commission shall commence within 2 weeks of the effective date of this act and shall meet at least four times. Within 12 months of passage of this bill, the Commission shall present a report on its findings and recommendations.”.

The amendment was adopted.

Mr. Murphy of Weymouth then moved to amend the bill by adding the following section:

“SECTION 100. Subsection (2A) of section 23 of chapter 32 of the General Laws, as appearing in the 2012 Official Edition, is amended by deleting in line 179 the word ‘nine’ and inserting in place thereof the following word:— eleven, and amended further by deleting in line 194 the period and inserting after the word ‘governor’ the following words: - the president of the Associated Industries of Massachusetts or his designee, and the president of the Massachusetts Association of Contributory Retirement Systems or his designee.”.

The amendment was adopted.

Mr. Kuros of Uxbridge then moved to amend the bill by adding the following section:

“SECTION 101. Notwithstanding any general or special law or regulation to the contrary, a special commission hereafter referred to as the commission, is hereby established for the purpose of investigating the environmental, public health, safety, personal property rights and financial impacts of beaver dams and their effect on ponds, streams, rivers and their surrounding areas.

The commission shall be chaired by the Secretary of Energy and Environmental Affairs, or his designee, and shall consist of thirteen members: 2 of whom shall be appointed by the speaker of the house; 1 of whom shall be appointed by the house minority leader; 2 of whom shall be appointed by the senate president; 1 of whom shall be appointed by the senate minority leader; the Commissioner of the Department of Fish and Game, or his designee; the Commissioner of the Department of Public Health, or his designee; the president of Mass Audubon, or his designee; and 3 of whom shall be subject matter experts appointed by the Governor.

The commission shall determine the best means to assess the impact of the beaver population on the Commonwealth, including but not limited to surveying cities and towns for local impact, reviewing data already available at the state and local levels, conducting hearings and inviting testimony from experts and the public, and other means as deemed necessary by the commission.

Members of the commission shall be named and the commission shall commence its work within 60 days of the effective date of this act. The commission shall report to the general court the results of its investigation and study, and recommendations, if any, together with drafts of legislation necessary to implement its recommendations into effect by filing the same with the clerks of the senate and the house of representatives on or before January 1, 2016. The clerks of the house and senate shall make the reports available to the public through the internet.”.

The amendment was adopted.

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

By inserting after item 1100-1701 the following item:

“1100-6000 For a reserve to provide loan guarantees to small businesses pursuant to section 57 of chapter 23A of the General Laws to be administered by the Massachusetts office of business development, in cooperation with the Massachusetts Business Development Corporation.....\$1,100,000”.

Consolidated amendments (labor and economic development).

**UNCORRECTED PROOF.**

In item 1599-0026, in line 5, by inserting after the year “2015” the following: “; provided further, that \$500,000 shall be transferred to the executive office of public safety and security for a competitive grant program for public safety and emergency staffing to be administered by that executive office; provided further, that the grants shall be awarded to communities that: (a) have populations of at least 60,000; and (b) demonstrate that their police departments had an operating budget per capita of less than \$200 in 2010; provided further, that each state entity administering grant funds through this item shall submit a report to the house and senate committees on ways and means, not later than February 13, 2016, detailing grants awarded through this item and the criteria used for distribution; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 for Haverhill shall be expended again in fiscal year 2016; provided further, that not less than \$25,000 shall be expended for the restoration of the Grass Hill School in the town of Millbury”, and in said item by striking out the figures “4,800,000” and inserting in place thereof the figures “5,825,000”,

In item 7002-0012 by striking out the figures “\$9,000,000” and inserting in place thereof the figures “9,500,000”,

By inserting after item 7002-0017 the following item:

“7002-0032 For a transfer to the John Adams Innovation Institute Fund established in section 6A of chapter 40J of the General Laws.....\$500,000”,

By inserting after item 7002-0040 the following item:

“7002-1502 For the Transformative Development Fund established in section 46 of chapter 23G of the General Laws.....\$1,000,000”,

By inserting after item 7002-1509 the following item:

“7002-1512 For the Big Data Innovation and Workforce Fund established in section 6H of chapter 40J of the General Laws.....\$500,000”,

In item 7003-0606, by striking out the figures “1,300,000” and inserting in place thereof the figures: “2,000,000”,

By inserting after item 7003-0803 the following item:

7003-0808 For the operation of the Massachusetts Workforce Professionals Association ....\$75,000”,

In item 7003-1206 by adding the following: “; provided, that not less than \$125,000 shall be expended to Career Resources Corporation in Haverhill toward employment services for veterans with disabilities; provided further, that not less than \$80,000 shall be expended for the development and implementation of a middle skills workforce training program to be conducted by the Gloucester Marine Genomics Academy; provided further, that not less than \$50,000 shall be expended for Arlington Community Trabajando of Lawrence; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 shall be expended towards workforce efforts at the Pine Street Inn in Boston; provided further, that not less than \$100,000 shall be expended for the Moving Ahead Program at the St. Francis House in Boston; provided further, that not less than \$75,000 shall be expended to establish a program in the city of Worcester to create a pre-apprenticeship training program certified by the division of apprentice training targeting low-income, women and minority youth, or young adult populations to be matched by the city of Worcester; provided further, that not less than \$100,000 shall be expended for a grant to Sociedad Latina; provided further, that not less than \$400,000 shall be expended for the Urban League of Eastern Massachusetts; provided further, that not less than \$400,000 shall be expended for the Urban League of Springfield; provided further, that not less than \$75,000 shall be expended for Cape Verdean Community UNIDO, Inc. to support outreach to immigrants in the Roxbury and Dorchester neighborhoods in the city of Boston; and

**UNCORRECTED PROOF.**

provided further, that not less than \$75,000 shall be expended for programs supporting and promoting cultural heritage, diversity and education in the city of Boston that were in item 7007-0900 of section 2 of chapter 182 of the acts of 2008”, and in said item by striking out the figures “600,000” and inserting in place thereof the figures “2,330,000”,

By inserting after item 7007-0800 the following item:

“7007-0801 For microlending grants of up to \$100,000 which shall be issued to established Community Development Financial Institutions and Community Advantage Lenders making direct microenterprise and small business loans to borrowers on a regional basis, and providing technical assistance to applicants and borrowers in order to foster business establishment and success; provided, that the funds shall be used to support the eligible organization’s lending and technical assistance activities ..... \$200,000”,

In item 7007-0952 by striking out the figures “3,900,000” and inserting in place thereof the figures “4,400,000”,

In item 7008-0900, in line 3, by inserting after the word “championships” the following: “; provided further, that not less than \$20,000 shall be expended for the celebration of the 200th anniversary of the town of Southbridge; provided further, that not less than \$50,000 shall be expended for the West Medford Community Center; provided further, that not less than \$100,000 shall be expended as a public safety grant to the city of Beverly; provided further, that not less than \$50,000 shall be expended for a parking study in the city of Brockton; provided further, that not less than \$30,000 shall be expended for a one-time child enrichment program in the town of Saugus; provided further, that not less than \$30,000 shall be expended for a district-wide robotics program in the town of Saugus; provided further, that not less than \$50,000 shall be expended for the Wilbraham Nature and Cultural Council working in collaboration with Wilbraham Community Association, Inc. and Minnechaug Land Trust, Inc. for tourism marketing and advertising purposes; provided further, that not less than \$75,000 shall be expended for the launch and operation of New England Public Radio in the city of Springfield; provided further, that not less than \$150,000 shall be expended as a public safety grant to the city of Lowell for Tanner Street; provided further, that not less than \$100,000 shall be provided to Fisher House Boston for expenses associated with hosting the 2015 Medal of Honor Convention; provided further, that not less than \$15,000 shall be expended for Westfield on Weekends, Inc.; provided further, that not less than \$150,000 shall be expended for Old Sturbridge Village in the town of Sturbridge; provided further, that not less than \$20,000 shall be expended to the Brimfield Trail Committee for bridge design and restoration; provided further, that not less than \$200,000 shall be expended as grants for the Bay State Games; provided further, that not less than \$75,000 shall be expended as a public safety grant to the town of Swampscott; provided further, that not less than \$100,000 shall be expended for Quincy Asian Resources, Inc. in the city of Quincy; provided further, that not less than \$50,000 shall be expended for the Germantown Neighborhood Center/South Shore YMCA in the city of Quincy; provided further, that not less than \$15,000 shall be expended for child safety grants to the town of North Reading; provided further, that not less than \$25,000 shall be expended for child safety grants to the town of Reading; provided further, that not less than \$50,000 shall be expended for a redevelopment study in the village of Devens; provided further, that not less than \$25,000 shall be expended for Leominster’s 100th anniversary as a city and 275th anniversary as a town; provided further, that not less than \$500,000 shall be expended for the Greater Boston Convention and Visitors Bureau for the marketing and promotion of Sail Boston/Tall Ships 2017; provided further, that not less than \$50,000 shall be expended for Horace Mann Park in the town of Franklin; provided

further, that not less than \$50,000 shall be expended as a matching grant to the Hopkinton 300th Committee for the commemoration of the 300th anniversary of the town of Hopkinton; provided further, that not less than \$50,000 shall be provided for improvements to Fino Field in the town of Milford; provided further, that not less than \$50,000 shall be provided for the Mendon Public Library; provided further, that not less than \$90,000 shall be expended for Russian Community Association of Massachusetts, Inc.; provided further, that not less than \$100,000 shall be expended for the Grand Army of the Republic Museum in the city of Lynn; provided further, that not less than \$10,000 shall be expended for the celebration of the 100th anniversary of the town of Millville; provided further, that not less than \$50,000 shall be expended as a grant to the town of Billerica for the Yankee Doodle Bike Path; provided further, that not less than \$50,000 shall be expended for Stone Soul, Inc. to implement the Stone Soul Festival in the city of Springfield, and to provide recreational activities for at-risk youth by collaborating with organizations that provide after-school programs; provided further, that not less than \$25,000 shall be expended for the North Quabbin Chamber of Commerce to establish a regional tourism council for the North Quabbin region; provided further, that not less than \$50,000 shall be expended for the Veterans of Foreign Wars Solomon Post 8819 in the town of Billerica; provided further, that not less than \$25,000 shall be expended as a grant to the town of Upton; provided further, that not less than \$100,000 shall be provided for King Philip High School in the town of Wrentham; provided further, that not less than 62.5 per cent of the amount appropriated in item 2810-0100 of section 2 of chapter 38 of the acts of 2013 for open space improvements in Lowell shall be expended for Edward A. LeLacheur Park in the city of Lowell; provided further, that not less than \$25,000 shall be expended for the celebration of the 250th anniversary of the city of Fitchburg; provided further, that not less than \$50,000 shall be expended for the Methuen Rail Trail Project; provided further, that not less than \$50,000 shall be granted to the Independent Film Society of Boston; provided further, that not less than \$75,000 shall be expended as a grant to the Boston Landmarks Orchestra; provided further, that not less than \$25,000 shall be expended for the Lynn Mural Project in the city of Lynn; provided further, that not less than \$50,000 shall be expended for the celebration of the 250th anniversary of the town of Sharon; provided further, that not less than \$75,000 shall be expended for the Waltham Tourism Council; provided further, that not less than \$70,000 shall be expended for improvements to Everett Memorial Stadium in the city of Everett; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 shall be expended for a child safety program in the town of Winthrop; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 shall be expended for a child safety program in the town of Revere; provided further, that not less than \$50,000 shall be expended for youth programs at Dennison Memorial Community Center in the city of New Bedford; provided further, that not less than \$25,000 shall be expended for the training apprenticeship program at the New Bedford Festival Theatre in the city of New Bedford; provided further, that not less than \$100,000 shall be expended for a matching grant program to the Enrichment Center located in the Dorchester neighborhood in the city of Boston; provided further, that not less than \$50,000 shall be expended for a child safety grant to the town of North Attleborough; provided further, that not less than \$75,000 shall be expended for the operation of the programs at Riverside Theatre Works, an organization located in the Hyde Park neighborhood in the city of Boston; provided further, that not less than \$5,000 shall be expended for We the People programs administered by the

Massachusetts Center of Civic Engagement; provided further, that not less than \$75,000 shall be expended for the Beebe Estate in the city of Melrose; provided further, that not less than \$15,000 shall be expended for the operation of programs at the Menino Arts Center, an organization located in the Hyde Park neighborhood in the city of Boston; provided further, that not less than \$75,000 shall be expended for the Head of the Charles Regatta to cover costs associated with public safety; provided further, that not less than \$50,000 shall be expended as a public safety grant to the town of Wakefield; provided further, that not less than \$75,000 shall be expended for educational, recreational and ceremonial programs that will constitute the 50th anniversary of Battleship Cove and USS Massachusetts Memorial Committee, Inc.; provided further, that not less than \$25,000 shall be expended for the commemoration of the 400th anniversary of the town of Plymouth; provided further, that not less than \$20,000 shall be expended as a planning grant to the town of Charlton; provided further, that not less than \$100,000 shall be expended for the Western Massachusetts Sports Commission, a division of the Greater Springfield Convention and Visitors Bureau”, and in said item by striking out the figures “6,146,956” and inserting in place thereof the figures “11,615,000” and

In item 7008-1000 by striking out the figures “4,500,000” and inserting in place thereof the figures “5,000,000”;

In section 73, in lines 773 through 781, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof following paragraph:

“The working group shall have 13 members: the secretary of administration and finance or a designee, who shall serve as chair; the attorney general or a designee; the inspector general or a designee; the secretary of housing and economic development or a designee; the undersecretary of housing, or a designee, the secretary of energy and environmental affairs, or a designee; the secretary of transportation or a designee; and 6 members to be appointed by the governor, 1 of whom shall be the president of the Massachusetts Building Trades Council or a designee; 1 of whom shall be a representative of the business community; 1 of whom shall be a representative of the construction industry; 1 of whom shall be from an engineering consulting firm; 1 of whom; 1 of whom shall be a representative from the Massachusetts Port Authority ; 1 of whom shall be a representative from the Massachusetts Housing Finance Authority; and 1 of whom shall be a representative from Massachusetts Development Finance Authority.”, and

By adding the following section:

“SECTION 102. (a) Notwithstanding any general or special law to the contrary, after complying with clause (a) of section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2015 by transferring: (i) \$10,000,000 to the Massachusetts Community Preservation Trust Fund, established by section 9 of chapter 44B of the General Laws; and (ii) the remaining balance to the Commonwealth Stabilization Fund. (b) All transfers pursuant to this section shall be made from the undesignated fund balances in the budgetary funds proportionally from the undesignated fund balances; provided, however, that no such transfer shall cause a deficit in any of the funds.”.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of the Mr. Wagner of Chicopee; and on the roll call 159 members voted in the affirmative and 0 in the negative.

**[See Ye and Nay No. 47 in Supplement.]**

Therefore the amendments were adopted.

Mr. Jones of North Reading and other members of the House then moved to

Amendments  
adopted,—  
yea and nay  
No. 47.

amend the bill by adding the following section:

“SECTION 103. Section 4 of chapter 505 of the acts of 2014 is hereby amended by striking out the words ‘July 1, 2015’ and inserting in place thereof the following words:— 90 days following the promulgation and release of regulations by the office of the attorney general regarding the implementation of the policy.”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the Mr. Jones; and on the roll call 45 members voted in the affirmative and 114 in the negative.

**[See Yea and Nay No. 48 in Supplement.]**

Therefore the amendments were rejected.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 104. Section 178J of chapter 6 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word “a”, in line 44, the following words:— level 1.”

After remarks the amendment was rejected.

Representatives O’Connell and Diehl of Whitman then moved to amend the bill by adding the following section:

“SECTION 104. Chapter 127 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, after section 48A, the following section:—

Section 48B. The commissioner and the sheriffs for the various counties may institute a schedule of fees and assess said fees to inmates in their custody as follows:—

1. A daily cost of custodial care fee not to exceed \$5;
2. A medical sick call visit fee not related to a condition pre-existing at the time of incarceration not to exceed \$5;
3. A dental sick call visit fee not to exceed \$5;
4. A pair of prescription eyeglasses fee not to exceed \$5;
5. A pharmacy prescription fee not to exceed \$3 per prescription.

Any penal facility assessing fees shall establish a procedure for inmates to appeal any such assessment.

Notwithstanding the above, the following services shall be exempt from fee assessment: admission health screening, 14 day health assessment, emergency health care, hospitalization or infirmary care, prenatal care, lab and diagnostic care, follow-up visits approved by health services, contagious disease care and chronic disease care.

No inmate shall be denied access to medical or dental care because of an inability to pay any fee. Indigent inmates shall have the above fees and costs assessed and debited against the inmate’s money account which, if not paid, shall remain due and payable as a charge to the inmate after his release from custody. If the inmate is not incarcerated within 2 years of his release from custody, this debt shall be forgiven.

This section shall not apply to federal inmates, detainees or regional lock-up inmates. The commissioner and the sheriffs of the various counties shall promulgate rules and regulations for the implementation of this section.”

After remarks the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 104. Section 178Q of chapter 6 of the General Laws is hereby amended by inserting at the end thereof, the following:— The sex offender registry

Amendment  
rejected,—  
yea and nay  
No. 48.

board shall, within 60 days of initial sex offender registration and annual sex offender registration, report to the department of revenue, the department of transitional assistance and the registry of motor vehicles the amount of any sex offender registration fee owed by the sex offender. The department of revenue shall intercept payment of such fee from tax refunds due to persons who owe all or a portion of such fee. The registry of motor vehicles shall not issue or renew a person's driver's license or motor vehicle registration for any vehicle subsequently purchased by such person until it receives notification from the sex offender registry board that the fee has been collected.”.

The amendment was adopted.

Mr. Collins of Boston then moved to amend the bill by inserting after section 36B (inserted by amendment) the following section:

“SECTION 36C. Chapter 94 of the General Laws is hereby amended by striking out section 295D and inserting in place thereof the following new section:—

Section 295D. Any advertisement of motor fuel other than those required in section 295C shall display the total price including all taxes.”;

By inserting after section 49A (inserted by amendment) the following section:

“SECTION 49B. Item 6622-1383 of section 2F of chapter 79 of the acts of 2014 is hereby amended by striking out the words “taking into consideration the recommendations of the 2014 South Boston Waterfront Transportation Plan”;

By inserting after section 54 the following section:

“SECTION 54A. There shall be established an advisory commission to consult on the design and engineering of the transportation improvements along the south Boston waterfront area of the city of Boston. The commission shall make recommendations as necessary on the expenditure of funds for transportation improvements in the area as provided for in item 6622-1383 of section 2F of chapter 79 of the acts of 2014.

The commission shall consist of 9 members; 1 of whom shall be the senator from the First Suffolk district or a designee; 1 of whom shall be the representative from the Fourth Suffolk district or a designee; 1 of whom shall be a representative of the Boston Transportation Department to be appointed by the mayor of the city of Boston; 1 of whom shall be the Boston city councilor representing district 2 or a designee; the Massachusetts Highway Administrator or a designee who shall serve as chair; the general manager of the Massachusetts Bay Transportation Authority or a designee; the executive director of the Massachusetts Port Authority or a designee; the executive director of the Massachusetts Convention Center Authority or a designee; and the executive director of the Seaport TMA or a designee.

The commission shall conduct its first meeting not more than 60 days after the effective date of the act and shall meet no less than on a quarterly basis for the duration of transportation improvement projects funded through the amounts appropriated in line item 6622-1383 of section 2F of chapter 79 of the acts of 2014. The commission shall consult with relevant federal and state agencies regarding proposed improvements. The commission shall file a report annually with the secretary of administration and finance, the secretary of transportation and the chairs of the joint committee on transportation.”.

The amendment was adopted.

Messrs. Vieira of Falmouth and Dempsey of Haverhill then moved to amend the bill by adding the following section:

“SECTION 105. There shall be a working group convened to study the employer retirement funding cost obligations and required reimbursements of all

non-commonwealth employers, agencies, governmental units, independent authorities, boards, commissions, component units of the commonwealth, districts, including regional and regional vocational school districts, educational collaboratives, and planning commissions, which participate or may participate in the Massachusetts State Employees Retirement System, and whose employees are or may become members thereof.

The task force shall consist of 5 members: the secretary of administration and finance or a designee who shall serve as chair; the executive director of the state board of retirement or a designee; the executive director of the Public Employee Retirement Administration Commission or a designee; and 3 members appointed by the governor; 1 of whom shall represent a regional vocational school district, 1 of whom shall represent an educational collaborative; and 1 of whom shall represent a planning commission. The working group may include any additional persons deemed necessary.

The working group shall report its findings and recommendations to the general court, along with any draft legislation necessary to carry its recommendation into effect, by filing the report with the clerks of the senate and house of representatives not later than October 1, 2015.”.

The amendment was adopted.

Mr. Howitt of Seekonk then moved to amend the bill by inserting after section 41B (inserted by amendment) the following two sections:

“SECTION 41C. Section 19C of chapter 138 of the General Laws, is hereby amended by inserting after paragraph (n), the following paragraph:—

(o) Notwithstanding any provision of this chapter to the contrary, a farmer brewer shall be permitted to fill empty growlers, provided by consumers for retail sale, if said growler was purchased for the purpose of holding malt beverages. For the purposes of this section, the term “growler” shall mean a large glass, including bottles, jugs, or other containers, which can hold up to 100 ounces of a malt beverage as defined in section 2, and is purchased from any licensed malt beverages manufacturer or wholesaler.

SECTION 41D. Section 19D of said chapter 138, is hereby amended by inserting after paragraph (m), the following paragraph:—

(n) Notwithstanding any provision of this chapter to the contrary, a pub brewer shall be permitted to fill empty growlers, provided by consumers for retail sale, if said growler was purchased for the purpose of holding malt beverages. For the purposes of this section, the term “growler” shall mean a large glass, including bottles, jugs, or other containers, which can hold up to 100 ounces of a malt beverage as defined in section 2, and is purchased from any licensed malt beverages manufacturer or wholesaler.”.

The amendment was adopted.

Mr. Cantwell of Marshfield and other members of the House then moved to amend the bill by adding the following section:

“SECTION 106. Chapter 176D of the General Laws is hereby amended by inserting after section 3B the following section:—

Section 3C. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:—

Ambulance service provider, a person or entity licensed by the department of public health under section 6 of chapter 111C to establish or maintain an ambulance service.

Emergency ambulance services, emergency services that an ambulance service provider is authorized to render under its ambulance service license when a

condition or situation in which an individual has a need for immediate medical attention, or where the potential for such need is perceived by the individual, a bystander or an emergency medical services provider.

Insurance policy and insurance contract, any policy, contract, agreement, plan or certificate of insurance issued, delivered or renewed within the commonwealth that provides coverage for expenses incurred by an insured for transportation services rendered by an ambulance service provider

Insured, an individual entitled to ambulance services benefits under an insurance policy or insurance contract.

Insurer, a person as defined in section 1 of chapter 176D; any health maintenance organization as defined in section 1 of chapter 176G; a non-profit hospital service corporation organized under chapter 176A; any organization as defined in section 1 of chapter 176I that participates in a preferred provider arrangement also as defined in said section 1 of said chapter 176I; any carrier offering a small group health insurance plan under chapter 176J; any company as defined in section 1 chapter 175; any employee benefit trust; any self-insurance plan, and any company certified under section 34A of chapter 90 and authorized to issue a policy of motor vehicle liability insurance under section 113A of chapter 175 that provides insurance for the expense of medical coverage.

(b) Notwithstanding any general or special provision of law to the contrary, in any instance in which an ambulance service provider provides an emergency ambulance service to an insured but is not an ambulance service provider under contract to the insurer maintaining or providing the insureds insurance policy or insurance contract, the insurer maintaining or providing such insurance policy or insurance contract shall pay the ambulance service provider directly and promptly for the emergency ambulance service rendered to the insured. Such payment shall be made to the ambulance service provider notwithstanding that the insureds insurance policy or insurance contract contains a prohibition against the insured assigning benefits thereunder so long as the insured executes an assignment of benefits to the ambulance service provider and such payment shall be made to the ambulance service provider in the event an insured is either incapable or unable as a practical matter to execute an assignment of benefits under an insurance policy or insurance contract pursuant to which an assignment of benefits is not prohibited, or in connection with an insurance policy or insurance contract that contains a prohibition against any such assignment of benefits. An ambulance service provider shall not be considered to have been paid for an emergency ambulance service rendered to an insured if the insurer makes payment for the emergency ambulance service to the insured. An ambulance service provider shall have a right of action against an insurer that fails to make a payment to it pursuant to this subsection.

(c) Payment to an ambulance service provider under subsection (b) shall be at a rate equal to the rate established by the municipality from where the patient was transported.

(d) An ambulance service provider receiving payment for an ambulance service in accordance with subsections (b) and (c) shall be deemed to have been paid in full for the ambulance service provided to the insured, and shall have no further right or recourse to further bill the insured for said ambulance service with the exception of coinsurance, co-payments or deductibles for which the insured is responsible under the insureds insurance policy or insurance contract.

(e) No term or provision of this section 3C shall be construed as limiting or adversely affecting an insureds right to receive benefits under any insurance policy or insurance contract providing insurance coverage for ambulance services. No term

or provision of this section 3C shall create an entitlement on behalf of an insured to coverage for ambulance services if the insureds insurance policy or insurance contract provides no coverage for ambulance services.”.

The amendment was adopted.

Messrs. Kafka of Stoughton and Galvin of Canton then moved to amend the bill by inserting after section 39 the following two sections:

“SECTION 39A. Section 39C of Chapter 112 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the word ‘fusionist’ in lines 3, 5, 19 and 22 and inserting in place thereof, in each instance, the following word:— infusion.

SECTION 39B. Said section 39C of said chapter 112 is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:— For the purposes of this section, the term home infusion pharmacy shall mean a pharmacy which dispenses pharmaceuticals, sterile intravenous drugs and nutritional products ordered by physicians to patients in their homes and other similar institutional sites of care as determined by the board.”.

The amendment was adopted.

Mr. Nangle of Lowell being in the Chair,—

Mr. Donato of Medford then moved to amend the bill by adding the following section:

“SECTION 107. Section 40 of chapter 236 of the acts of 2014 is hereby amended by striking out the figure ‘2015’ and inserting in place thereof, the following figure:— 2016.”.

The amendment was adopted.

Mr. Donato of Medford being in the Chair,—

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following two sections:

“SECTION 108. Section 178L of chapter 6 of the General Laws, as appearing in the 2012 Official edition, is hereby amended by striking out subsection (1)(b) and inserting there of the following subsection:—

(1)(b) The district attorney for the county where such sex offender was prosecuted may, within ten days of a conviction or adjudication of a sexually violent offense or a declassification of a sex offender, file a motion with the board to make an expedited recommended classification upon a showing that such sex offender poses a grave risk of imminent reoffense. If the petition is granted, the board shall make such recommendation within ten days of the expiration of the time to submit documentary evidence. If the petition is not granted, the board shall make such recommended classification as otherwise provided in this section.

SECTION 109. Section 14 of chapter 30A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting at the end of paragraph (3) the following words:— Notwithstanding the above, should the Sex Offender Registry Board or the Court issue a stay of a final classification in a Sex Offender Registry Board proceeding or court appeal held pursuant to G.L. chapter 6 § 178M, then such hearing shall be expedited and such stay shall be for no more than 60 days.”.

The amendment was adopted.

Mr. Dempsey of Haverhill then moved to amend the bill in section 2

In item 0320-0003 by striking out the figures “8,360,344” and inserting in place thereof the figures “8,560,344”,

In item 0321-2000 by striking out the figures “976,165” and inserting in place thereof the figures “1,095,928”,

Consolidated  
amendments  
(public safety  
and judiciary).

**UNCORRECTED PROOF.**

In item 0330-0300 by striking out the figures “225,379,650” and inserting in place thereof the figures “227,379,650”,

In item 0337-0002 by inserting after the words “juvenile court department” the following: “; provided, that no less than \$143,989 shall be expended on the Hampden County CASA program, no less than \$71,994 shall be expended on the Worcester County CASA program, no less than \$98,730 shall be expended on the Essex County CASA program, no less than \$100,000 shall be expended on the Boston CASA program, no less than \$76,494 shall be expended on the Franklin/Hampshire County CASA program, and no less than \$53,995 shall be expended on the Berkshire County CASA program”, and in said item by striking out the figures “18,081,021” and inserting in place thereof the figures “18,626,223”,

In item 0411-1000, by striking out the figures “5,494,390” and inserting in place thereof the figures “5,554,390”,

By inserting after item 0950-0000 the following item:

“0950-0030 For the commission on the status of grandparents raising grandchildren \$80,000”,

In item 8000-0038 by striking out the figures “188,490” and inserting in place thereof the figures “250,000”,

In item 8000-0600 by adding the following: “; provided further, that not less than \$50,000 shall be expended to the town of Watertown for public safety improvements; provided further, that not less than \$50,000 shall be expended to the town of Waltham for public safety improvements; provided further, that not less than \$75,000 shall be expended to the city of Lynn for public safety improvements; provided further, that not less than \$68,000 shall be expended to the town of Hadley for public safety improvements; provided further, that not less than \$50,000 shall be expended to the city of Holyoke for public safety improvements; provided further, that not less than \$150,000 shall be expended to the town of Braintree for public safety improvements; provided further, that not less than \$25,000 shall be expended to the town of Uxbridge for public safety improvements; provided further, that not less than \$25,000 shall be expended to the town of North Attleboro for public safety improvements; provided further, that not less than \$40,000 shall be expended to the town of Millbury for public safety improvements; provided further, that not less than \$50,000 shall be expended for public safety improvements in the town of Seekonk; provided further, that not less than \$50,000 shall be expended for public safety improvements in the town of Townsend; and provided further, that not less than \$200,000 shall be expended for the Black Men of Greater Springfield, Inc.”, and in said item by striking out the figures “2,216,482” and inserting in place thereof the figures “3,049,482”,

In item 8100-0111, by striking out the figures “5,000,000” and inserting in place thereof the figures “6,000,000”,

In item 8100-1001, in line 17, by inserting after the word “abuse” the following: “; provided further, that not less than \$1,000,000 shall be expended for the payroll costs of the state police directed patrols; provided further, that subject to appropriation communities receiving funds for directed patrols in fiscal year 2008 shall receive an equal disbursement of funds in proportion to the current appropriation in fiscal year 2016; provided further, that funds shall be expended for directed patrols at Constitution Beach in East Boston; provided further, that not less than \$90,000 shall be expended for additional patrols for the summer season at Wollaston Beach and Furnace Brook Parkway in the city of Quincy”, and in said item by striking out the figures “267,709,501” and inserting in place thereof the figures “268,799,501”,

In item 8200-0200 by adding the following: “; and provided further, that towns

in Worcester County hosting municipal police training academies shall not receive less than the amount appropriated in section 2 of chapter 68 of the acts of 2011”,

By striking out item 8324-0000 and inserting in place thereof the following item:

“8324-0000 For the administration of the department of fire services, including the state fire marshal’s office, the hazardous materials emergency response program, the board of fire prevention regulations established in section 4 of chapter 22D of the General Laws, the expenses of the fire safety commission and the Massachusetts firefighting academy, including the Massachusetts fire training council certification program, municipal and non-municipal fire training and expenses of the council; provided, that the fire training program shall use the split days option; provided further, that \$1,200,000 shall be allocated by the department for the Student Awareness of Fire Education program; provided further, that \$100,000 shall be allocated by the department for the Fire Chiefs Association of Bristol County to develop, upgrade and maintain the emergency radio communications system in Bristol County and to provide equipment and training support to the Regional Technical Rescue team in Bristol County; provided further, that the amount allocated for critical incident stress intervention programs in item 8324-0000 of section 2 of chapter 182 of the acts of 2008 shall be allocated in fiscal year 2016; provided further, that \$200,000 shall be allocated to On-Site Academy to provide training and treatment programs for emergency personnel for critical incident stress management or substance abuse; provided further, that \$50,000 shall be provided for the city of Quincy fire department hazardous materials response team; provided further, that \$30,000 shall be provided for the Hopedale fire department hazardous materials response team; provided further, that 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal’s office, critical incident stress programs, On-Site Academy, the Massachusetts training academies, the regional dispatch centers, the radio and dispatch center improvements, and the associated fringe benefit costs of personnel paid from this item for these purposes shall be assessed upon insurance companies writing fire, homeowners’ multiple peril or commercial multiple peril policies on property situated in the Commonwealth and paid within 30 days after receipt of notice of such assessment from the commissioner of insurance; provided further, that 100 per cent of the amount appropriated in this item for hazardous material response shall be assessed upon insurance companies writing commercial multiple peril, nonliability portion policies situated in the Commonwealth and commercial auto liability policies as referenced in line 5.1 and line 19.4, respectively, in the most recent annual statement on file with the commissioner of insurance; and provided further, that not more than 10 per cent of the amount designated for the arson prevention program shall be expended for the administrative costs of the program..... \$19,489,781”.

In item 8700-0001 by adding the following: “; provided further, that no less than \$50,000 shall be expended for the Massachusetts Veterans Oral History Project to be conducted by the non-profit corporation Home of the Brave, Inc. in conjunction with the Massachusetts National Guard Museum; and provided further, that \$120,000 shall be expended for the security fence at the National Guard Readiness Center in Natick”, and in said item by striking out the figures “9,973,671” and inserting in place thereof the figures “10,143,671”.

In item 8900-0001 by adding the following: “; provided further, that the amount allocated for programs for incarcerated mothers in item 8900-0001 of section 2 of chapter 131 of the acts of 2010 shall be allocated to the program in fiscal year 2016; provided further, that the department shall expend not less than \$2,200,000 for municipalities hosting department of corrections facilities; provided further, that of that \$2,200,000, no municipality hosting a department of corrections facility shall receive more than \$800,000; provided further, that of that \$2,200,000, no municipality hosting a department of corrections facility shall receive less than the amount allocated in item 8900-0001 of section 2 of chapter 60 of the acts of 2011; provided further, that the amount allocated for the Dismas House in Worcester in item 8900-0001 of section 2 of chapter 182 of the acts of 2008 shall be expended for the program in fiscal year 2016; provided further, that \$50,000 shall

be expended for On-Site Academy to provide training and treatment programs for corrections personnel for critical incident stress management or substance abuse; and provided further, no less than \$68,000 shall be expended for Dispute Resolutions Services, Inc. of Springfield”, and in said item by striking out the figures “567,483,603” and inserting in place thereof the figures “570,101,603”;

In item 8910-0108 by adding the following: “; provided further, that not less than \$125,000 shall be expended for the Franklin County Opioid Education and Awareness Task Force”, and in said item by striking out the figures “11,425,402” and inserting in place thereof the figures “11,550,402”;

By inserting after section 3 the following two sections:

“SECTION 3B. Section 3 of chapter 6 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 2, the figures ‘26,025’ and inserting in place thereof the following figures:— 31,025.

SECTION 3C. Said section 3 of said chapter 6 is hereby further amended by striking out the figures ‘31,025’, inserted by section 3B, and inserting in place thereof the following figures:— 36,025.”

By inserting after section 42 the following two sections:

“SECTION 42B. Section 26F1/2 of chapter 148 of the General Laws, is hereby amended by inserting at the end thereof, the following sentences:— For nonresidential buildings other than enclosed parking structures, and for nonresidential areas of a building that contains a mix of residential and nonresidential uses, carbon monoxide alarms shall be required only in areas or rooms containing a furnace, boiler, water heater, fireplace or any other apparatus, appliance or device that burns fossil fuel.

SECTION 42C. Subsection (a) of section 11 of chapter 211D of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in lines 9 and 10, the words ‘\$50 per hour; for children and family law cases, care and protection cases,’ and inserting in place thereof the following words:— \$53 per hour; for children and family law cases and care and protection cases the rate of compensation shall be \$55 per hour; for.”

By inserting after section 48 the following section:

“SECTION 48A. Section 163 of Chapter 38 of the Acts of 2013 is hereby amended by inserting after paragraph (e), the following new paragraph:—

(f) The state comptroller shall exempt the Essex County Sheriff’s Department from all applicable charges or assessments made against grants to the Essex County Regional Communications Center and monies derived from local aid “cherry sheet” charges to member communities pursuant to its authority under sections 5D and 6B of chapter 29 of the General Laws.”; and

By inserting after section 74 the following three sections:

“SECTION 74A. Section 3C shall take effect on January 1, 2016.

SECTION 74B. Section 42C shall take effect on July 1, 2016.

SECTION 74C. Section 42B shall take effect on August 1, 2016.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Fernandes of Milford; and on the roll call 158 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 49 in Supplement.]**

[Mr. Petrolati of Ludlow answered “Present” in response to his name.]

Therefore the amendment was adopted.

Mrs. Haddad of Somerset then moved to amend the bill by adding the following section:

“SECTION 110. (a) Notwithstanding any general law or special law to the

Consolidated amendments adopted,— yea and nay No. 49.

contrary, the department of energy resources shall expend an amount not to exceed \$3,000,000 from the RGGI Auction Trust Fund established in section 35II of chapter 10 of the General Laws for a 1-time reimbursement to a municipality that has been negatively impacted by a reduction in property tax receipts from a dual coal and oil fired electric generating station due to a reduction in capacity factor, occurring after July 1, 2012. The municipality shall be entitled to reimbursement under this section of an amount by which the tax receipts, including payments in lieu of taxes or other compensation, paid by the affected property owner of the electric generating station in tax year 2013 is less than the amount of the tax receipts paid by the electric generating station in 2012. Payments from the fund shall be prioritized so that the first payments from the fund shall be made to municipalities under this section.”.

The amendment was adopted.

Mr. Dempsey of Haverhill then moved to amend the bill in section 2

In item 0540-0900 by striking out the figures “1,200,574” and inserting in place thereof the figures “1,236,574”,

In item 1410-0010 by striking out the figures “50,000” (inserted by amendment) and inserting in place thereof the figures “150,000”, and in said item but striking out the figures “3,422,497” (inserted by amendment) and inserting in place thereof the figures “3,522,497”,

In item 1410-0012 (as inserted by amendment) by striking out the words “Springfield Partners for Community Action’s Veterans First Program to provide comprehensive outreach services to Veterans in Hampden County” and inserting in place thereof the following: “Veterans First Outreach Center of the Springfield Chapter of the National Association for Black Veterans, Inc., to provide outreach services for Veterans in Hampden County; provided further, that not less than \$100,000 shall be expended for Soldier On for the purpose of providing services to homeless veterans in Berkshire, Franklin, Hampden and Hampshire County”, and in said item by striking out the figures “3,283,641” and inserting in place thereof the figures “3,383,641”,

In item 1410-0250 by adding the following: “; provided further, that not less than \$220,000 shall be obligated for a contract with Soldier On shelter located in the town of Leeds”, and in said item by striking out the figures “\$2,851,629” (inserted by amendment) and inserting in place thereof the figures “3,071,629”,

In item 1599-7104, in line 8, by striking out the words “costs at Northern Essex Community College” and inserting in place thereof the words “a facility that offers healthcare services and community based programs in the city of Haverhill”,

In item 2800-0700, in line 6, by inserting after the word “safety” the following: “; provided further, that not less than \$125,000 shall be provided for the preservation of a historic property in the Town of Hadley”, and in said item by striking out the figures “417,968” and inserting in place thereof the figures “542,968”,

In item 2810-0100 by striking out the following: “; provided further, that not less than \$25,000 shall be expended by the town of Douglas for the operation of Douglas State Park”, in said item by inserting after the word “Methuen” (as inserted by amendment and the first time it appears) the words “for a public safety grant”, and in said item by striking out the figures “\$44,019,533” (inserted by amendment) and inserting in place thereof the figures “43,994,533”,

In item 4000-0300 by adding the following: “; provided further, that subject to the availability of federal financial participation, said add-on shall include the related tax liability for the annual insurer fee; provided further, that MassHealth

shall provide a report, no later than October 1, 2015, to the house and senate committees on ways and means on the feasibility of federal reimbursement for transitional support services; provided further, that not less than \$200,000 shall be expended for the Maris Center for Women in the town of Salisbury”, and in said item by striking out the figures “91,865,452” (inserted by amendment) and inserting in place thereof the figures “92,065,452”,

In item 4403-2000 by adding the following: “; provided further, that the children’s clothing allowance shall be included in the standard of need for the month of September 2015”,

In item 4510-0710, in line 22, by striking out the following: “no less than \$3,747,500” and inserting in place thereof the word “funds”,

In item 4512-0200 by inserting after the word “Boston” (as inserted by amendment and the first time it appears) the following: “; provided further, that not less than \$95,000 shall be expended for the Eastern Massachusetts Goal Setting and Relapse Prevention program in collaboration with the Juvenile Court Department office situated in Dedham”, in said item by striking out the following: “by 75” (as inserted by amendment), and in said item by striking out the figures “98,475,501” (inserted by amendment) and inserting in place thereof the figures “98,570,501”,

In item 4512-0201, in line 5, by striking out the following: “by 75”,

In item 7002-0010, in line 4, by inserting after the word “director” the following: “; provided further, that not less than the amount appropriated in item 7002-0010 of section 2 of chapter 165 of the acts of 2014 for the 495/MetroWest Corridor Partnership, Inc. shall be expended for the 495/MetroWest Corridor Partnership, Inc. to coordinate the 495/MetroWest Suburban Edge Community Commission; provided further, the executive office of housing and economic development, in cooperation with the commonwealth corporation, shall award not less than \$300,000 to the New England Center for Arts and Technology”, and in said item by striking out the figures “2,320,994” and inserting in place thereof the figures “2,670,994”,

In item 7003-1206 after the word “Boston” (as inserted by amendment and the second time it appears) the following: “; provided further that not less than \$50,000 shall be expended for the Massachusetts Latino Chamber of Commerce to promote and provide technical assistance to minority small businesses for the purpose of advocacy, economic development, and employment within communities of color”, and in said item by striking out the figures “2,330,000” (inserted by amendment) and inserting in place thereof the figures “3,180,000”,

In item 7010-0005 by inserting after the word “Program” (as inserted by amendment and the second time it appears) the following: “; provided further, that not less than \$60,000 shall be expended for school safety in the town of Medway”, and in said item by striking out the figures “13,857,522” (inserted by amendment) and inserting in place thereof the figures “13,917,522”,

In item 7008-0900, as amended by Consolidated “H”, by inserting after the word “Convention” (as inserted by amendment and the first time it appears) the following: “; provided further, that not less than the amount appropriated in item 7007-0800 in section 2 in chapter 139 of the acts of 2012 shall be expended for the Winthrop and Revere chambers of commerce; provided further, that not less than \$25,000 shall be expended for the Haverhill Inner City Boxing; provided further, that not less than \$25,000 shall be expended for the Haverhill’s Downton Boxing; provided further, that not less than \$50,000 shall be expended for the Merrimack Valley Chamber of Commerce; provided further, that not less than \$25,000 shall be expended for the Greater Haverhill Chamber of Commerce; provided further, that

not less than \$75,000 shall be expended for the 375th Anniversary celebration in the city of Haverhill”, and in said item by striking out the following: “/South Shore YMCA” (inserted by amendment),

By inserting after item 7035-0006 the following item:

“7035-0007 For reimbursements to cities, towns, regional vocational or county agricultural school districts, independent vocational schools or collaboratives for certain expenditures for transportation of nonresident pupils to an approved vocational-technical program of any regional or county agricultural school district, city, town, independent school or collaborative under section 8A of chapter 74 of the General Laws; provided, that if the amount appropriated is insufficient to fully fund said section 8A of said chapter 74, initial reimbursements made by the department of elementary and secondary education may be prorated by the department to all eligible cities, towns, regional vocational or county agricultural school districts, independent vocational schools or collaborative; and provided further, that upon a determination by the department that the funds appropriated in this item are insufficient to meet the commonwealth's full obligation under said section 8A of said chapter 74, the department shall, within 10 days, notify the secretary of administration and finance, the joint committee on education and the house and senate committees on ways and means of the amount needed to fully fund the obligation \$250,000”.

In item 7066-0036, in line 24, by striking out the year “2015” and inserting in place thereof the year “2016”.

In item 7077-0023 by striking out the figures “4,000,000” and inserting in place thereof the figures “5,000,000”.

In item 8000-0600 by inserting after the word “Townsend” (inserted by amendment) the following: “; provided further, that not less than \$30,000 shall be expended to the Eastham Police Department to be used in conjunction with the towns of Wellfleet, Truro and Provincetown to address the traffic safety issues on Route 6 from the Orleans rotary to Provincetown from May 22nd to October 18th”, and in said item by striking out the figures “3,049,482” (inserted by amendment) and inserting in place thereof the figures “3,079,482”.

In item 8324-0000 by inserting after the word “County” (as inserted by amendment and the third time it appears) the following: “; provided further, that the amount allocated for the Norfolk County Regional Fire and Rescue Dispatch Center in item 8324-0000 of section 2 of chapter 182 of the acts of 2008 shall be allocated in fiscal year 2016”, and in said item by striking out the figures “19,489,781” (inserted by amendment) and inserting in place thereof the figures “19,589,781”.

In item 9110-9002 by inserting after the word “Weymouth” (inserted by amendment) the following: “; provided further, that not less than \$50,000 shall be expended for a senior center in the town of Marlborough”, and in said item by striking out the figures “13,415,000” (inserted by amendment) and inserting in place there of the figures “13,465,000”.

In section 8, in line 64, by inserting after the word “department” the words “; provided, that advertising appearing on the exterior of the facility, including billboards, signs and other advertising devices, shall be consistent with local ordinances or by-laws”.

By inserting after section 20A (inserted by amendment) the following section:

“SECTION 20B. Chapter 10 of the General Laws is hereby amended by inserting after section 35AAA the following section:—

Section 35BBB. (a) There shall be established and set up on the books of the commonwealth a separate fund to be known as the Douglas State Forest Maintenance Trust Fund to be used, without further appropriation, for the long-term preservation, maintenance, nourishment and public safety of Douglas State Forest in the town of Douglas. Any balance in the fund at the end of the fiscal year shall not

revert to the General Fund, but shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund to become deficient at any point during a fiscal year.

(b) The department of conservation and recreation shall impose a surcharge of \$1 upon each fee charged and collected from admission to and parking in the Douglas State Forest. The additional monies collected from the surcharge shall be deposited into the Douglas State Forest Maintenance Trust Fund. Expenditures by the trust for public safety may be made available to the town of Douglas's police, fire, ambulance and emergency personnel. On or before November 30 of each year, the department of conservation and recreation shall meet with the board of selectmen of the town of Douglas to discuss the maintenance and safety plan for the forest for the next calendar year as well as the balance and expenditures from the Douglas State Forest Maintenance Trust Fund.”

In section 40, in line 396, by inserting after the word “division” the words “and its contracted health insurers, health plans, health maintenance organizations, behavioral health management firms and third-party administrators under contract to a Medicaid managed care organization or primary care clinician plan”, and in lines 398 and 400, by striking out the word “critical” and inserting in place thereof, in each instance, the word “clinical”,

By inserting after section 42C (inserted by amendment) the following section:

“SECTION 42D. Chapter 221 of the General Laws, as appearing in the 2012 official edition, is hereby amended by striking Section 16A and inserting the following section:—

Section 16A. The clerk of the superior court for criminal business in Suffolk county may designate, with the approval of the chief justice of the trial court, 1 assistant clerk appointed under section 5, as the unified session clerk to perform, under the direction of the clerk of the superior court for criminal business in Suffolk county, duties pertaining to the statewide unified session for trials and hearings relative to the determination of sexually dangerous persons pursuant to section 9 of chapter 123A. Such clerk shall receive in addition to the salary paid to him as an assistant clerk under section 4, a sum equivalent to 10 per cent of the salary of an assistant clerk.”

By inserting after section 49B (inserted by amendment) the following section:

“SECTION 49C. Section 219 of Chapter 165 of the Acts of 2014, is hereby amended by striking out the words ‘April 1, 2015’ and inserting in place thereof the following words:— November 2, 2015.”

In section 51, in line 450, by striking out the word “and” (the second time it appears),

In section 70, in line 721, by inserting after the word “include” the words “to the extent possible”,

In section 71, in line 745, by inserting after the word “to” the words “community-run or law-enforcement-run programs in New England states and” and in line 753, by striking out the word “Inc.”, and

In section 72, in line 757, by inserting after the word “term” the words “, but may be removed for cause”.

The amendments were adopted.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Jones of North Reading asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence

Quorum.

Quorum,—

**UNCORRECTED PROOF.**

of a quorum; and on the roll call (the Speaker being in the Chair) 157 members were recorded as being in attendance.

yea and nay  
No. 50.

**[See Yea and Nay No. 50 in Supplement.]**

Therefore a quorum was present.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Dempsey of Haverhill; and on the roll call 158 members voted in the affirmative and 0 in the negative.

Bill passed to  
be engrossed,—  
yea and nay  
No. 51.

**[See Yea and Nay No. 51 in Supplement.]**

Therefore the bill (House, No. 3400, amended) was passed to be engrossed.

*Order.*

On motion of Ms. Vincent of Revere,—

*Ordered,* That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next sitting.

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At half past four o'clock P.M. (Wednesday, April 29), on motion of Mr. Hill of Ipswich (the Speaker being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.